

Article - Labor and Employment

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§9–807.

(a) In any case involving payment from the Subsequent Injury Fund, the Commission or any party in interest shall:

(1) give written notice to the State Treasurer or the attorney for the Subsequent Injury Fund that the Subsequent Injury Fund is or may be involved in the case; and

(2) implead the Fund, in writing, as a party.

(b) (1) The Subsequent Injury Fund may be impleaded at any stage of the proceedings:

(i) before the Commission; or

(ii) on appeal.

(2) If the Subsequent Injury Fund is impleaded on appeal before a circuit court or the Court of Special Appeals, the court:

(i) as to an impleader filed at least 60 days before the scheduled trial in the circuit court or at least 60 days before the hearing in the Court of Special Appeals, shall:

1. suspend further proceedings; and

2. remand the case to the Commission for further proceedings to give the Subsequent Injury Fund an opportunity to defend against the claim; and

(ii) as to an impleader filed less than 60 days before the trial in the circuit court or less than 60 days before the hearing in the Court of Special Appeals, may for good cause shown:

1. suspend further proceedings; and

2. remand the case to the Commission for further proceedings to give the Subsequent Injury Fund an opportunity to defend against the claim.

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